

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 1, 2008**

The following cases are submitted this date:

E044891	The People v. David Patrick Atkins
E045659	The People v. Sandra Alford
E045752	The People v. Robert Moore
E042973	The People v. Earl Robbins
E043945	The People v. Walter Luchie
E044695	The People v. Rodolfo Gamino
E044628	The People v. Eddie Brumfield
E042910	The People v. Benjamin Brown et al.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 2, 2008**

The following cases are submitted this date:

E045480	The People v. Alfred Lewis
E044373	The People v. Quintelle Simpson
E044296	The People v. Deorsi Larrea
E044015	The People v. Enrique Alvarez

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 3, 2008**

The following case is submitted this date:

E046014 The People v. Karla Malone

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 6, 2008**

The following case is submitted this date:

E045484 The People v. James Drake

**E045631 B. P. v. The Superior Court of Riverside County; Department of
Public Social Services Order**

No request for oral argument has been received. Oral argument is deemed waived
and the matter is resubmitted.

Hollenhorst, Acting P.J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 7, 2008**

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| E042271 | The People v. Alonzo Mata
Judgment affirmed as modified.
Richli, J.
We concur: McKinster, Acting P.J., King, J. | Opinion |
| E044150 | The People v. Juan Francisco Martinez
Judgment affirmed with directions.
Ramirez, P.J.
We concur: Hollenhorst, J., King, J. | Opinion |
| E044024 | The People v. John Allen Spicer
Judgment affirmed with directions.
McKinster, Acting P.J.
We concur: Richli, J., King, J. | Opinion |
| E043913 | The People v. Charles William Braden
Judgment affirmed.
Richli, J.
We concur: McKinster, Acting P.J., King, J. | Opinion |
| E043539 | The People v. Albert Avena Ramirez
Judgment affirmed with directions.
The request for an order to show cause on the petition for habeas corpus in case No. E045325 is granted. A separate order will be filed in the petition for writ of habeas corpus and the writ petition will no longer be considered with the appeal.
Richli, Acting P.J.
We concur: King, J., Miller, J. | Opinion |
| E045325 | In re Alberto Avena Ramirez on Habeas Corpus
The parties are Ordered To Appear and Show Cause before the Honorable Michael A. Knish, Judge of the San Bernardino Superior Court, at a place, date and time set by the superior court, but no later than 45 days from the date of this order, why relief should not be granted.
Richli, Acting P.J.
We concur: King, J., Miller, J. | Order |

Minutes
October 7, 2008

- E046390 S. G., a Minor etc. v. Superior Court of San Bernardino County;
Department of Children's Services Opinion**
Petition denied.
Hollenhorst, Acting P.J.
We concur: Gaut, J., King, J.
- E043368 In re the Marriage of Riki and Dwayna Randell Olivier
Riki Olivier, Sr. v. Dwayna Randell Olivier Opinion**
Judgment reversed.
Richli, Acting P.J.
We concur: King, J., Miller, J.
- E039208 The People v. Joseph Christopher Segade Opinion**
Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: Richli, J., Miller, J.
- E044364 The People v. Jaime Hernandez Torres Opinion**
Judgment affirmed.
Richli, J.
We concur: McKinster, Acting P.J., King, J.
- E045631 B. P. v. The Superior Court of Riverside County; Department
of Public Social Services Opinion**
Petition granted.
Hollenhorst, Acting P.J.
We concur: McKinster, J., Gaut, J.
- E044815 In re J.C. et al., Persons Coming Under the Juvenile
Court Law. Riverside County Department of Children's
Services v. R.C. Opinion**
Judgment affirmed.
Richli, J.
We conur: McKinster, Acting P.J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 8, 2008**

Court convened at 8:30 a.m.

Panel 1a
Present:
Ramirez, P.J.
McKinster, J.
Gaut, J.
Sonia DeLeon, Deputy Clerk

**E044605 In re A.C. et al.; Persons Coming Under the Juvenile Court Law.
Department of Public Social Services v. S.A.**

Merits. Cause called and Kathleen M. Mallinger, Esq., argued for appellant; Carole A. Nunes Fong, Deputy County Counsel, argued for respondent; Valerie Lankford, Esq., argued for the minors. Cause submitted.

Panel 1
Present:
Ramirez, P.J.
King, J.
Miller, J.
Sonia DeLeon, Deputy Clerk

**E043874 In re A.P. et al., Persons Coming Under the Juvenile Court Law.
Department of Public Social Services v. R.H. et al.; A.P. et al.**

Merits. Cause called and Nicole A. Williams, Esq., argued for appellants; Carole A. Nunes Fong, Deputy County Counsel, argued for respondent, Department of Public Social Services; Richard Pfeiffer, argued for respondent, T.P.; Karen Dodd, argued for respondent, R.H.; Jacquelyn E. Gentry, Esq., argued for the minor, H.M.. Cause submitted.

Minutes
October 8, 2008

Panel 1c
Present:
Ramirez, P.J.
Hollenhorst, J.
King, J.
Sonia DeLeon, Deputy Clerk

E042695 In re S.J. et al.; Persons Coming Under the Juvenile Court Law.
Department of Public Social Services v. C.K.

Merits. Cause called and Robert F. McLaughlin, Esq., argued for appellant; Sophia H. Choi, Deputy County Counsel, argued for respondent; Carl Fabian, Esq., argued for the minors. Cause submitted.

Panel 1d
Present:
Ramirez, P.J.
Hollenhorst, J.
Gaut, J.
Sonia DeLeon, Deputy Clerk

E041254 The People v. Kelvin McKinney

Merits. Cause called and Edward J. Haggerty, Esq., argued for appellant; Peter Quon, Jr., Deputy Attorney General, argued for respondent. Cause submitted.

E044133 In re A.A.; A Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. R.A.

Merits. Cause called and Merrill L. Toole, Esq., argued for appellant; Anna M. Deckert, Deputy County Counsel, argued for respondent; Leslie A. Barry, Esq., argued for the minor. Cause submitted.

E044501 In re R.C.; A Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. B.F.

Merits. Cause called and Leonard J. Cravens, Esq., argued for appellant; Sophia S. Choi, Deputy County Counsel, argued for respondent; Sharon Rollo, Esq., argued for the minor. Cause submitted.

Minutes
October 8, 2008

E044733 In re J.A.; A Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. K.A. et al.

Merits. Cause called and Robert F. McLaughlin, Esq., argued for appellant, K.A.; Richard Pfeiffer, Esq., argued for appellant, M.A.; Sophia H. Choi, Deputy County Counsel, argued for respondent; Janette F. Cochran, Esq., argued for the minor. Cause submitted.

E045078 In re B.F. et al.; Persons Coming Under the Juvenile Court Law.
Department of Public Social Services v. C.F.

Merits. Cause called and Robert McLaughlin, Esq., present for appellant; Carole A. Nunes Fong, Deputy County Counsel, present for respondent; Leslie A. Barry Esq., present for the minor. Matter trailed for counsel to confer with client.

E043405 The People v. Gilberto Cuevas et al.

Merits. Cause called and Melchor E. Quevedo, Esq., argued for appellant, Gilberto Cuevas; Victoria H. Stafford argued for appellant, Travis Baker; Marissa Bejarano, Deputy Attorney General, argued for respondent. Cause submitted.

E045078 In re B.F. et al.; Persons Coming Under the Juvenile Court Law.
Department of Public Social Services v. C.F.

Merits. Cause called. Counsel's request for appellant to appear in pro per is denied. Counsel's request for appellant to continue oral argument is denied. Robert McLaughlin, Esq., argued for appellant; Carole A. Nunes Fong, Deputy County Counsel, argued for respondent; Leslie A. Barry Esq., argued for the minor. Cause submitted.

E044179 The People v. Monty Gill

Merits. Cause called and Richard L. Schwartzberg, Esq., argued for appellant; Marissa Bejarano, Deputy Attorney General appeared for respondent and Michael Chen, certified law student argued for respondent. Cause submitted.

Court recessed.

Court convened at 1:30 p.m.

Minutes
October 8, 2008

Panel 2
Present:
McKinster, Acting P.J.
Gaut, J.
Miller, J.
Michelle Parlapiano, Deputy Clerk

E043168 Robert Armstrong et al. v. California Valley Associates

Merits. Cause called and Richard D. Keys, Esq., argued for appellant; D.W. Duke, Esq., argued for respondents. Cause submitted.

Panel 2a
Present:
McKinster, Acting P.J.
King, J.
Miller, J.
Michelle Parlapiano, Deputy Clerk

**E045065 In re I.W. et al.; Persons Coming Under the Juvenile Court Law.
Department of Public Social Services v. E. K. et al.**

Merits. Cause called and William D. Caldwell, Esq., argued for appellant, E.K.; Sharon Rollo, Esq., argued for appellant, J.D.; Anna M. Deckert, Deputy County Counsel, argued for respondent; Amanda F. Benedict, Esq., argued for the minors. Cause submitted.

Court adjourned.

**Minutes
October 8, 2008**

The following case is submitted this date:

E042072	The People v. Charmain Bergmann
E045392	The People v. Leonard Berry
E043981	The People v. Vavao Faumi
E043166	The People v. Francis LaBlanc
E044235	The People v. David Tompkins, Jr.
E044318	In re G.V., a Person Coming Under the Juvenile Court Law. The People v. G.V.
E044562	The People v. Hector Vasquez
E044700	The People v. Daniel Lucas
E044873	The People v. Hugo Rodriguez
E042775	The People v. Terrance Brown
E044490	The People v. Jose Gonzalez
E044882	Frances Horlings v. Housing Authority of the County of San Bernardino
E045388	In re J.B., a Person Coming Under the Juvenile Court Law. Department of Public Social Services v. J.A.B. et al.

E044177	The People v. Phillip Brent Thomas
	Judgment affirmed.
	Richli, J.
	We concur: McKinster, Acting P.J., King, J.

Opinion

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 9, 2008**

Court convened at 9:00 a.m.

Panel 3
Present:
Ramirez, P.J.
McKinster, J.
Miller, J.
Rachel Borba, Deputy Clerk

**E042316 Center for Biological Diversity et al. v. County of San Bernardino;
Hawarden Development Company**

Merits. Cause called and Douglas P. Carstens, Esq., argued for appellants, Center for Biological Diversity et al.; Mitchell Norton, Deputy County Counsel., argued for appellant, County of San Bernardino; Michelle Ouellette, Esq., argued for appellant, Hawarden Development Company. Cause submitted.

E042968 Kenneth Pine v. John Caranci as Trustee, etc., et al.

Merits. Cause called and Jon R. Williams, Esq., argued for appellant; Douglas S. Phillips, Esq., argued for respondents. Cause submitted.

E043571 David Gallardo v. City of Desert Hot Springs et al.

Merits. Cause called and Robert W. Krause, Esq., argued for appellant; Joseph M. Quinn, Esq., argued for respondent. Cause submitted.

E045002 Estate of Marilyn Yokaitis; Heidi Morandini v. Donald Yokaitis

Merits. Cause called and Ronald T. Golan, Esq., argued for appellant; D. Martin Nethery, argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Minutes
October 9, 2008

Panel 4a
Present:
Hollenhorst, Acting P.J.
Gaut, J.
Miller, J.
Belinda Ramirez, Deputy Clerk

E042964 Alex Kodnegah et al. v. Prestige Developers, Inc. et al.

Merits. Cause called and John G. Derrick, Esq., argued for appellants; Jon H. Leiberg, Esq., argued for respondents. Cause submitted.

Panel 4b
Present:
Hollenhorst, Acting P.J.
Gaut, J.
King, J.
Belinda Ramirez, Deputy Clerk

E043353 Henry Voznick v. Montclair Yamaha et al.

Merits. Cause called and Robert G. Schwartz, Esq., argued for appellant; Frank J. Lizarraga, Esq., argued for respondents. Cause submitted.

E043451 John F. Firestone et al. v. Allen Matkins Leck Gamble & Mallory LLP et al.

Merits. Cause called and Jon. H. Leiberg, Esq., argued for appellants; Michael K. Collins, Esq., argued for respondents, Allen Matkins Leck Gamble & Mallory LLP et al.; Donald L. Morrow, Esq., argued for respondents, Rutan & Tucker LLP et al.. Cause submitted.

E044059 Fred Scane et al. v. City of Murrieta; Rachael Van Haaster

Merits. Cause called and Gary J. Bryant, Esq., argued for appellants; Mitchell S. Wagner, Esq., argued for respondent. Cause submitted.

E044315 Tamim Rostai v. Pashtoon Subat et al.

Merits. Cause called and Sunil Shah, Esq., argued for appellants; Robert J. Danko, Esq., argued for respondent. Cause submitted.

Minutes
October 9, 2008

E043768 In re the Marriage of Heidi Lee & Huseyin Aydemir

Merits. Cause called and Julian R. Fox, Esq., argued for appellant; no appearance by respondent. Cause submitted.

Court adjourned.

The following cases are submitted this date:

E046144 In re N. S.; The People v. N. S.

E045574 The People v. Charles Moore

**E044668 In re K.A. et al., Persons Coming Under the Juvenile Court Law
Department of Public Social Services v. K.L. Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Miller, J.

E044298 The People v. Jose Luis Herrera Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Miller, J.

E042977 The People v. Kim Shute Opinion

Judgment affirmed with directions.

Miller, J.

We concur: Ramirez, P.J., King, J.

E043492 The People v. Mario Primitivo Neblina Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., King, J.

**E046412 County of San Bernardino v. The Superior Court;
Victor Rubio Opinion**

Petition granted.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

Minutes
October 9, 2008

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| E044213 | The People v. Michael Darnell Clemons
Judgment affirmed with directions.
Richli, J.
We concur: McKinster, Acting P.J., King, J. | Opinion |
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| E045174 | In re E.M., a Person Coming Under the Juvenile Court Law
Department of Children's Services v. J.L.
Judgment affirmed.
McKinster, Acting P.J.
We concur: King, J., Miller, J. | Opinion |

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 10, 2008**

The following case is submitted this date:

E045671 The People v. Eric Eugene Hopkins

**E045372 In re A.M., a Person Coming Under the Juvenile Court Law. Opinion
Department of Children's Services v. L.E.**

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Miller, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 13, 2008**

Holiday.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 14, 2008**

E042072 The People v. Charmain Louise Bergmann

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Miller, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 15, 2008**

The following case is submitted this date:

**E044399 Estate of Willie William Vernon, Deceased.
Bryan Vernon v. Darlene Neubauer**

E041402 The People v. Byron Walter Mayfield et al.
No change in judgment. **Modification of Opinion**
Petition for rehearing denied.
McKinster, J.
We concur: Hollenhorst, Acting P.J., Gaut, J.

E045376 The People v. Cory Lamar Morrow **Opinion**
Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J, Miller, J.

E044319 The People v. Robert Dale Morgan **Opinion**
Judgment affirmed with directions.
Richli, Acting P.J.
We concur: King, J., Miller, J.

**E045664 In re D.A., a Person Coming Under the Juvenile Court Law.
The People v. D.A.,** **Opinion**
Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J., Miller, J.

E045171 The People v. Julian Reyes Tafolla **Opinion**
Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J, Miller, J.

E044176 The People v. Richard Alan Chapman **Opinion**
Judgment affirmed.
Gaut, J.
We concur: Hollenhorst, Acting P.J, Richli, J.

Minutes
October 15, 2008

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| E041938 The People v. David Briano
Judgment affirmed.
Miller, J.
We concur: Hollenhorst, Acting P.J, Richli, J. | Opinion |
| E043357 The People v. Charles S. Williams
Judgment affirmed.
Gaut, J.
We concur: McKinster, Acting P.J, King, J. | Opinion |
| E044458 The People v. Stanford Bell
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J, Miller, J. | Opinion |
| E043457 The People v. Daniel Anthony Henson, Sr.
Judgment affirmed.
Richli, Acting P.J.
We concur: King, J, Miller, J. | Opinion |
| E042369 Torab Ahmadi v. Paul Alford, as Trustee, etc.
Judgment affirmed.
King, J.
We concur: Ramirez, P.J., Richli, J. | Opinion |
| E041501 The People v. Edward Michael Adams
Petition for rehearing denied. | Order |

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 16, 2008**

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| E043254 The People v. Gioncarlo Mendez
Judgment affirmed with directions.
Gaut, J.
We concur: Hollenhorst, Acting P.J., Richli, J. | Opinion |
| E045183 The People v. Francisco Paco Cardenas
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E044433 The People v. George Gus Garcia
Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E042334 The People v. Walter Brown, Jr.
Judgment affirmed.
McKinster, Acting P.J.
We concur: King, J., Miller, J. | Opinion |
| E044946 The People v. Jesse Angel Gutierrez
Judgment affirmed with directions.
Ramirez, P.J.
We concur: Richli, J., Miller, J. | Opinion |
| E043456 CAG, LLC et al., v. Felipe Fuentes
Judgment affirmed.
Miller, J.
We concur: Hollenhorst, Acting P.J., McKinster, J. | Opinion |
| E042973 The People v. Earl James Robbins
Dismissed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |

**Minutes
October 16, 2008**

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| E043016 The People v. Joshua Gordon Johnson
Judgment affirmed.
Richli, J.
We concur: McKinster, Acting P.J., King, J. | Opinion |
| E044700 The People v. Daniel Lucas Jones
Judgment affirmed in part and reversed in part with directions.
Ramirez, P.J.
We concur: Richli, J., Miller, J. | Opinion |
| E044821 The People v. Eddie Ray Hunnel
Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., Miller, J. | Opinion |
| E045281 The People v. Adan Chavez
Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J., Miller, J. | Opinion |
| E042520 The People v. Peter Paul Noriega
Judgment affirmed.
Richli, Acting P.J.
We concur: King, J., Miller, J. | Opinion |
| E043391 The People v. Enrique Cota Angulo
Judgment affirmed.
Gaut, J.
We concur: Hollenhorst, Acting P.J., Richli, J. | Opinion |
| E045461 In re A. T., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. R. C.
Judgment affirmed.
Richli, J.
We concur: McKinster, Acting P.J., King, J. | Opinion |
| E043700 The People v. Vincent Johnny Avalos
Judgment affirmed.
Richli, Acting P.J.
We concur: King, J., Miller, J. | Opinion |

Minutes

October 16, 2008

E044891	The People v. David Patrick Atkins	Opinion
	Judgment affirmed as modified. Richli, J. We concur: Ramirez, P.J., Miller, J.	
E044373	The People v. Quintelle Derrel Simpson	Opinion
	Judgment affirmed. Richli, J. We concur: Ramirez, P.J., Miller, J.	
E042775	The People v. Terrance L. Brown	Opinion
	Judgment affirmed in part and reversed in part. Ramirez, P.J. We concur: Richli, J., Miller, J.	
E043945	The People v. Walter Keith Luchie	Opinion
	Judgment affirmed as modified. Richli, J. We concur: Ramirez, P.J., Miller, J.	
E043432	The People v. Chastity Marie Fox	Opinion
	Judgment affirmed. McKinster, Acting P.J. We concur: King, J., Miller, J.	
E044562	The People v. Hector Skyhawk Vasquez	Opinion
	Judgment affirmed with directions. Ramirez, P.J. We concur: Richli, J., Miller, J.	
E044462	The People v. Karluki Larry Jones	Opinion
	Judgment affirmed. Richli, J. I concur: McKinster, Acting P.J. I concur and dissent: King, J.	
E044882	Frances Horlings v. Housing Authority of the County Of San Bernardino	Opinion
	Judgment reversed. Richli, J. We concur: McKinster, Acting P.J., Miller, J.	

Minutes
October 16, 2008

E043872 The People v. Arturo Larios Sanchez

Opinion

Judgment affirmed with directions.

Gaut, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 17, 2008**

- E045480 The People v. Alfred James Lewis Opinion**
Judgment affirmed as modified.
Richli, J.
We concur: Ramirez, P.J., Miller, J.
- E046103 Paul Mencos et al., v. Superior Court of San Bernardino County;
The People Opinion**
Petition granted.
Hollenhorst, Acting P.J.
We concur: McKinster, J., Gaut, J.
- E043960 The People v. Ruben Macias Opinion**
Judgment affirmed with directions.
- E045036* In re Ruben Macias on Habeas Corpus.**
Petition denied.
Gaut, J.
We concur: Hollenhorst, Acting P.J., Richli, J.
***Petition considered with appeal.**
- E046537 Eric Eugene Hopkins v. Superior Court of San Bernardino County;
The People Opinion**
Petition granted.
McKinster, Acting P.J.
We concur: Gaut, J., Miller, J.
- E045418 The People v. Roy Randall Gustafson Opinion**
Judgment affirmed.
King, J.
We concur: McKinster, Acting P.J., Gaut, J.
- E045213 The People v. Mitchell Scott Berg Opinion**
Judgment affirmed.
King, J.
We concur: McKinster, Acting P.J., Gaut, J.

**Minutes
October 17, 2008**

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| E043166 The People v. Francis John LaBlanc
Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J., Miller, J. | Opinion |
| E046169 French Valley Aviation, Inc. v. Superior Court; Air
 Petro Corp.
Petition granted by opinion.
McKinster, Acting P.J.
We concur: Hollenhorst, J., King, J. | Opinion |
| E043768 In re the Marriage of Heidi Lee and Huseyin Aydemir.
 Heidi Lee v. Huseyin Aydemir
Judgment affirmed.
King, J.
We concur: Hollenhorst, Acting P.J., Gaut, J. | Opinion |
| E044302 The People v. Jose Alfredo Perez
Judgment reversed with directions.
Miller, J.
I concur: McKinster, Acting P.J.
I concur and dissent: King, J. | Opinion |
| E044873 The People v. Hugo Ernesto Rodriguez
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E044695 The People v. Rodolfo Cesar Gamino
Judgment affirmed in part and reversed in part with directions.
Richli, J.
We concur: Ramirez, P.J, Miller, J. | Opinion |
| E045392 The People v. Leonard Berry
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 20, 2008**

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| E041254 | The People v. Kelvin Lymon McKinney
Judgment affirmed with directions.
Ramirez, P.J.
We concur: Hollenhorst, J., Gaut, J. | Opinion |
| E042910 | The People v. Benjamin Henry Brown et al.
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E044490 | The People v. Jose Luis Gonzalez
Judgment affirmed in part and reversed in part.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E043981 | The People v. Vavao Polo Faumui
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E045065 | In re I.K. et al., Persons Coming Under the Juvenile
Court Law. Riverside County Department of Public
Social Services v. E.K. et al.
Judgment affirmed.
McKinster, Acting P.J.
We concur: King, J., Miller, J. | Opinion |

**Court of Appeal
Fourth District, Division 2
Riverside, California**

Minutes

October 21, 2008

The following cases are submitted this date:

**E045979 In re K.W., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. K.W.**

E044466 The People v. Jimmy Casillas

E046006 The People v. Jose Luis Gonzalez

E043765 The People v. Carlos Jose Ramirez

E043593 The People v. Gabriel Gilbert Zapata

**E045971 In re R.R., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. A.R.**

E046417 R.C. v. Superior Court; Department of Children's Services

E046470 M.A. v. Superior Court; Department of Children's Services

E045793 Janet Auxier v. Superior Court of San Bernardino County; Opinion
City of Hesperia

Petition granted by opinion.

Gaut, J.

We concur: Hollenhorst, Acting P.J., King, J.

E043177 Melvin E. Lesher et al. v. Walter Brian Block Opinion

Judgment reversed.

McKinster, J.

We concur: Ramirez, P.J., Miller, J.

E044628 The People v. Eddie Lee Brumfield Opinion

Judgment affirmed as modified.

Richli, J.

We concur: Ramirez, P.J., Miller, J.

E039367*	The People v. Clifford R. Garrett	Opinion
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E040423* The People v. James L. Abbott, Jr.

Judgment affirmed with directions.

Ramirez, P.J.

We concur: Hollenhorst, J., King, J.

*Consolidated for briefing, oral argument and decision

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 22, 2008**

The following cases are submitted this date:

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|----------------|---|----------------|
| E042724 | Friends of Riverside Hills v. City of Riverside et al.;
Rancho La Sierra West Partnership et al. | |
| E044062 | The People v. Ahmodn Jamaal Thomas | |
| E042743 | The People v. Jonathon David Patzer | |
| | | |
| E043874 | In re A. P. et al., Persons Coming Under the Juvenile
Court Law. Department of Public Social Services v.
R. H. et al.; A. P. et al | Opinion |
| | Judgment reversed with directions.
Miller, J.
We concur: Ramirez, P. J., King, J. | |
| | | |
| E042695 | In re S.J. et al, Persons Coming Under the Juvenile
Court Law. Department of Public Social Services v. C.K. | Opinion |
| | Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., King, J. | |
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| E044219 | The People v. Charles Richard Hampton III | Opinion |
| | Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., Miller, J. | |
| | | |
| E045739 | In re C.G., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. N.D. et al. | Opinion |
| | Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., Miller, J. | |
| | | |
| E044111 | The People v. Perry Lamar Sterling | Opinion |
| | Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., Miller, J. | |

Minutes
October 22, 2008

- E044501 In re R. C., a Person Coming Under the Juvenile Court Law.**
Department of Public Social Services v. B. F. Opinion
Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., Gaut, J.
- E045112 In re A.C., a Person Coming Under the Juvenile Court Law.**
Department of Children's Services v. J.D. Opinion
Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., Miller, J.
- E043602 In re A.T., a Person Coming Under the Juvenile Court Law.**
Department of Public Social Services v. S.V.; M.T.; A.T. Opinion
Judgment affirmed.
McKinster, Acting P.J.
We concur: King, J., Miller, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 23, 2008**

The following cases are submitted this date:

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|--------------------|---|--------------------|
| E046045 | The People v. Carla Collins | |
| E045811 | In re A.Y. et al., Persons Coming Under the Juvenile Court Law.
Department of Public Social Services v. T.F. | |
| E044479 | Northern California Universal Enterprise Company, Inc. v.
Gerald Chester Kokoszka et al. | |
| E042936 | The People v. Samuel Suarez | |
| E041820 | The People v. Angel Guerrero | |
| E043221 | The People v. Raynard Darrett | |
| E043951 | In re R.U., a Person Coming Under the Juvenile Court Law.
People v. R.U. | |
| E045028 | The People v. James Kelley | |
| E045790 | In re D.J. et al., Persons Coming Under the Juvenile Court Law.
Department of Children's Services v. L.C. et al. | |
| E045712 | The People v. Wendell Penny | |
|
E044133 |
In re A.A., a Person Coming Under the Juvenile Court Law
Department of Public Social Services v. R.A. |
Opinion |
| | Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., Gaut, J. | |
|
E044863 |
The People v. George F. Pitt |
Opinion |
| | Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., Miller, J. | |
|
E043073 |
The People v. Melvin Fisher |
Opinion |
| | Judgment affirmed as modified.
Richli, J.
We concur: McKinster, Acting P.J., King, J. | |
|
E045604 |
The People v. Kevin Cedric Little |
Opinion |
| | Judgment affirmed.
Hollenhorst, Acting P.J.
We concur: Gaut, J., King, J. | |

**Minutes
October 23, 2008**

- E044466 The People v. Jimmy Joe Casillas Opinion**
Judgment affirmed.
McKinster, Acting P.J.
We concur: Gaut, J., King, J.
- E045979 In re K.W. et al., Persons Coming Under the Juvenile Court Law.
Department of Children's Services v. K.W. Opinion**
Judgment affirmed.
King, J.
We concur: McKinster, Acting P.J., Gaut, J.
- E045526 The People v. Michael Peru Guerra Opinion**
Judgment affirmed with directions.
Ramirez, P.J.
We concur: McKinster, J., Richli, J.
- E043593 The People v. Gabriel Gilbert Zapata Opinion**
Judgment affirmed.
King, J.
We concur: McKinster, Acting P.J., Gaut, J.
- E041640 Ernst Hammermueller v. North American Company for Life and
Health Insurance Opinion**
- E045194* Ernst Hammermueller v. North American Company for Life and
Health Insurance**
Judgment reversed.
McKinster, Acting P.J.
We concur: Gaut, J., King, J.
***Consolidated for oral argument and decision.**

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 24, 2008**

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| E043664 | The People v. Asencion Hernandez Rendon | Opinion |
| | Judgment affirmed.
Ramirez, P.J.
We concur: Hollenhorst, J., Miller, J. | |
| E042724 | Friends of Riverside's Hills v. City of Riverside et al.,
Rancho La Sierra West Partnership et al. | Opinion |
| | Judgment affirmed.
Ramirez, P.J.
We concur: Gaut, J., King, J. | |
| E045971 | In re R.R., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. A.R. | Opinion |
| | Judgment reversed with directions.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | |
| E045048 | The People v. David Daniels | Opinion |
| | Judgment affirmed.
Richli, J.
We concur: McKinster, Acting P.J., Miller, J. | |
| E044952 | The People v. Erik Jermaine Ervin | Opinion |
| | Judgment affirmed with directions.
Ramirez, P.J.
We concur: Richli, J., Miller, J. | |

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 27, 2008**

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|----------------|---|----------------|
| E044296 | The People v. Deorsi James Larrea
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E046006 | The People v. Jose Louis Gonzalez
Judgment affirmed as modified.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E042316 | Center for Biological Diversity et al., v. The County of
San Bernardino; Hawarden Development Company
Judgment affirmed as modified.
McKinster, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E044691 | In re S. D., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. R. S.
Judgment affirmed.
Hollenhorst, J.
We concur: Ramirez, P.J., Miller, J. | Opinion |
| E043451 | John F. Firestone et al. v. Allen Matkins Leck Gamble &
Mallory LLP et al.
Judgment affirmed.
Gaut, J.
We concur: Hollenhorst, Acting P.J., King, J. | Opinion |
| E042811 | San Bernardino County Superintendent of Schools et al. v.
Robert L. Maxwell, Inc.
Judgment reversed.
Gaut, J.
We concur: Richli, Acting P.J., King, J. | Opinion |
| E042964 | Alex Kodnegah et al. v. Prestige Developers, Inc. et al.
Appeal dismissed.
Miller, J.
We concur: Hollenhorst, Acting P.J., Gaut, J. | Opinion |

Minutes
October 27, 2008

- E046610 US Express Leasing, Inc. v. The Superior Court of San Bernardino County; Direct Mortgage, Inc. et al. Opinion**
Petition granted.
McKinster, Acting P.J.
We concur: Gaut, J., Miller, J.
- E044179 The People v. Monty Lyle Gill Opinion**
Judgment affirmed.
Gaut, J.
We concur: Ramirez, P.J., Hollenhorst, J.
- E044059 Fred Scane et al. v. City of Murrieta; Rachael Van Haaster Opinion**
Judgment affirmed.
Gaut, J.
We concur: Hollenhorst, Acting P.J., King, J.
- E046417 Ricardo C. v. The Superior Court of San Bernardino County; Department of Children's Services Opinion**
Petition denied.
King, J.
We concur: McKinster, Acting P.J., Richli, J.
- E044318* In re G.V., a Person Coming Under the Juvenile Court Law The People v. G.V. Opinion**
Judgment affirmed.
Gaut, J.
We concur: McKinster, Acting P.J., King, J.
*CERTIFIED FOR PUBLICATION
- E043168 Robert Armstrong et al. v. California Valley Associates Opinion**
Judgment reversed with directions.
Gaut, J.
We concur: McKinster, Acting P.J., Miller, J.
- E044597 The People v. Duke Steven Haltom Opinion**
Judgment affirmed with directions.
Gaut, J.
We concur: McKinster, Acting P.J., King, J.

Minutes
October 27, 2008

E045078 In re Brandy F. et al., Persons Coming Under the Juvenile Court Law
Department of Public Social Services v. Colleen F. Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E045388 In re J.B., a Person Coming Under the Juvenile Court Law
Department of Public Social Services v. JA.B. et al. Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., King, J.

E043405 The People v. Gilberto Cuevas et al. Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 28, 2008**

The following cases are submitted this date:

E045278	In re E.B., a Person Coming Under the Juvenile Court Law. Department of Public Social Services v. E.B.
E045763	In re I.I., a Person Coming Under the Juvenile Court Law. Department of Children's Services v. S.I.
E045024	In re J.M., a Person Coming Under the Juvenile Court Law. The People v. J.M.
E045682	In re A.R. et al., Persons Coming Under the Juvenile Court Law. Department of Children's Services v. G.S.
E045399	In re Q.S. et al., Persons Coming Under the Juvenile Court Law. Department of Public Social Services v. S.S.
E043669	In re S.W. et al., Persons Coming Under the Juvenile Court Law. Department of Public Social Services v. T.W. et al.
E044284	Thomas Forney v. John Forney, as Trustee, etc. et al.
E044388	California School Employees Association et al. v. Colton Joint Unified School District
E042364	Cecelia Lewis v. Daybreak Group, Inc.
E043962	The People v. Willie Hickman
E045298	W. Richard Maudsley v. Mohammad Eslamieh et al.
E044810	Bishop Plaza, LLC v. Mohammad Eslamieh et al.
E044828	The People v. Robert Bobbitt
E044497	The People v. Robert Dumire
E042254	The People v. Jesus Alberto Galvan et al.
E043795	The People v. Guadalupe Adolf Garcia
E044170	The People v. Jorge Guadalupe Gonzalez, Jr.
E044107	The People v. Tyrone Ingram
E043048	The People v. Rasheid Jones
E044848	The People v. Manuel Lopez
E045221	The People v. Christopher Lozano Murguia
E044900	The People v. Bobby Enrique Patron
E043078	The People v. Pablo Perez
E042064	The People v. Karen Lee Sims
E045307	The People v. Craig Steinwand
E044883	The People v. Jacob Lee Tellis
E044068	The People v. Sandra Mariela Zuazo

**Minutes
October 28, 2008**

- E043353 Henry P. Voznick v. Montclair Yamaha et al. Opinion**
Judgment reversed.
Gaut, J.
We concur: Hollenhorst, Acting P.J., King, J.
- E044733 In re Jacob A. a Person Coming Under the Juvenile Court Law
Department of Public Social Services v. Katherine A. et al. Opinion**
Judgment affirmed.
Gaut, J.
We concur: Ramirez, P.J., Hollenhorst, J.
- E041820 The People v. Angel Guerrero Opinion**
Judgment affirmed in part and reversed in part with directions.
Ramirez, P.J.
We concur: Richli, J., Miller, J.
- E046470 M. A. v. The Superior Court of San Bernardino County;
Department of Children's Services Opinion**
Petition denied.
Gaut, J.
We concur: Ramirez, P.J., Miller, J.
- E042936 The People v. Samuel Solache Suarez Opinion**
Judgment affirmed.
McKinster, Acting P.J.
We concur: Gaut, J., King, J.
- E044315 Tamim Tostai v. Pashtoon Subat et al. Opinion**
Judgment reversed.
Gaut, J.
We concur: Hollenhorst, Acting P.J., King, J.
- E043765 The People v. Carlos Jose Ramirez Opinion**
Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J.

**Minutes
October 28, 2008**

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| E044605 | In re Ashley C. et al., Persons Coming Under the
Juvenile Court Law. Department of Public Social Services
v. Sandra A. | Opinion |
| | Judgment reversed with directions.
Gaut, J.
We concur: Ramirez, P.J., McKinster, J. | |
| E045350 | The People v. Alejandro Cesar Mendoza | Opinion |
| | Judgment affirmed with directions.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | |
| E044015 | The People v. Enrique Soto Alvarez | Opinion |
| | Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | |
| E044235 | The People v. David Scott Tompkins | Opinion |
| | Judgment affirmed.
Ramirez, P.J.
We concur: Richli, J., Miller, J. | |
| E045659 | The People v. Sandra Gail Alford | Opinion |
| | Judgment affirmed.
Richli, J.
We concur: Ramirez, P.J., Miller, J. | |
| E041605 | The People v. Juan Manuel Rojas | Order |
| | Submission is vacated and the cause is resubmitted.
The reason submission is vacated is that additional research and
case review are required before making a final decision in this matter.
McKinster, Acting P.J. | |

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 29, 2008**

No Minutes for October 29, 2008.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 30, 2008**

The following cases are submitted this date:

E045629	The People v. John Lloyd McClinton
E044803	The People v. Abdelkader Morceli
E044720	The People v. Jose M. Montalvo, Jr.
E045749	The People v. Mario Lopez

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
October 31, 2008**

The following case is submitted this date:

E044332 HMY New Yacht Sales, Inc., et al. v. Brunswick Corporation et al.

E044737 The People v. Patricia Ann Watkins

Opinion

Judgment affirmed with directions.

Hollenhorst, J.

We concur: Ramirez, P.J., Miller, J.

E044848 The People v. Manuel Lopez

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.